

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 322, FOOD AND DRUGS ACT.

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#### MISBRANDING OF STOCK FOOD—"CORN ALFALFA HORSE FEED."

On or about February 16, 1909, Guthrie & Company, of Superior, Nebr., shipped and delivered for shipment in interstate commerce from Superior, Nebr., to Macon, Ga., 100 pounds of stock food, which was labeled and branded "Corn Alfalfa Horse Feed Fat 4.0%, Fiber 11.0%, Protein 13.0%, Carbohydrates 50.0%. Corn Alfalfa Products Co., Superior, Neb." Samples from the above shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said Guthrie & Company, and the party from whom the samples were procured, were afforded opportunities for hearings. As it appeared after hearings held that the above shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General, with a statement of the evidence upon which to base a prosecution. In due course a criminal information was filed against the said Guthrie & Company, in the District Court of the United States for the District of Nebraska, charging the above shipment and alleging that the product shipped as aforesaid was misbranded, because it bore a label and statements regarding the ingredients and substances contained therein which were false and misleading in this, that said article of food was represented to contain 4 per cent fat, 11 per cent fiber, and 13 per cent protein, whereas it did in fact contain 3.72 per cent ether extract (fat), 10.88 per cent protein, and 13.85 per cent crude fiber.

On March 15, 1910, the defendant pleaded guilty to the information and the court imposed upon it a fine of \$50.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *April 26, 1910.*

